

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 462A.32(2) and 455A.5(6)“a,” the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 40, “Boating Speed and Distance Zoning,” Iowa Administrative Code.

This proposed rule shall add a “no wake” zone (speed no greater than 5 miles per hour) on the Mississippi River adjacent to the City of Clayton within a zone extending 150 feet from shore and beginning at a point 1,012 feet north of Mississippi River Day Marker 624.7R and extending south to a point 1,012 feet south of the same marker (624.7R). This reduction in speed along the city’s waterfront will reduce the risk of high-wave damage to public access docks, private business and personal docks, reduce erosion of the city’s river banks, and avoid personal injuries of citizens and tourists enjoying the waterside area.

Any interested person may make written suggestions or comments on the proposed rule on or before July 31, 2014. Such written materials should be directed to Susan Stocker, Department of Natural Resources, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; fax (515)281-8895; or e-mail Susan.Stocker@dnr.iowa.gov. Persons who wish to convey their views orally should contact the Law Enforcement Bureau at (515)281-5034 or visit the Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be a public hearing on July 31, 2014, at 1 p.m. in the Fourth Floor West Conference Room of the Wallace State Office Building. At the public hearing, persons may present their views either orally or in writing. Participants will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed rule.

Any persons who intend to attend the public hearing and have special needs, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

After analysis and review of this rule making, no impact on jobs has been found.

This rule is intended to implement Iowa Code section 462A.32(2).

The following amendment is proposed.

Adopt the following new rule 571—40.60(462A):

571—40.60(462A) Zoning of the Mississippi River, Clayton, Clayton County.

40.60(1) All vessels, except commercial barge traffic, shall be operated at a speed no greater than 5 miles per hour within an area extending 150 feet from shore and beginning at a point 1,012 feet north of Mississippi River Day Marker 624.7R and extending south to a point 1,012 feet south of the same marker (624.7R).

40.60(2) The city of Clayton shall designate and maintain the 5-mile-per-hour speed zone with buoys approved by the natural resource commission.